

Attorney's Docket No. 005652.P013XCD.

PATENT

2873 ifu
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mark W. Miles

Examiner: Mai, Huy Kim

Application No.: 10/082,397

Art Unit: 2873

Filed: August 6, 2002

For: Visible Spectrum Modulator Arrays

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on 5/18/04

(Date of Deposit)

Harleen Bains

(Typed or printed name of person mailing correspondence)

[Signature]

(Signature of person mailing correspondence)

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

_____ 37 C.F.R. §1.97(b).

 X 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

_____ A statement pursuant to 37 C.F.R. §1.97(e) or

 X A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

_____ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

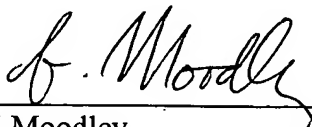
- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 5/18/, 2004



Vani Moodley
Reg. No. Under 37 CFR § 10.9(b)

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300



Substitute for Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

				Application Number	10/082,397
				Filing Date	August 6, 2002
				First Named Inventor:	Mark W. Miles
				Art Unit	2873
				Examiner Name	Mai, Huy Kim
Sheet	1		2	Attorney Docket Number	005652.P013XCD

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
		US-	4,900,395	2/13/90	Syversen et al.	
		US-	5,293,272	3/8/94	Jannson et al.	
		US-	5,358,601	10/25/94	Cathey	
		US-	5,726,480	3/10/98	Pister	
		US-	5,793,504	8/11/98	Stoll	
		US-	5,808,780	9/15/98	McDonald	
		US-	5,943,158	8/24/99	Ford et al.	
		US-	6,100,872	8/8/00	Aratani et al.	
		US-	6,243,149 B1	6/5/01	Swanson et al.	
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				

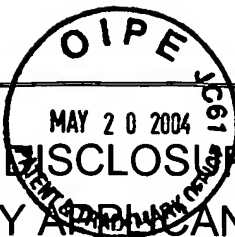
Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Substitute for Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/082,397
Filing Date	August 6, 2002
First Named Inventor:	Mark W. Miles
Art Unit	2873
Examiner Name	Mai, Huy Kim
Attorney Docket Number	005652.P013XCD

Sheet

2

of

2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		IBBOTSON, et al. "Comparison of XeF ₂ and F-atom reactions with Si and SiO ₂ ", Applied Physics Letters. Vol. 44, No. 12, June 1984. pp 1129-1131.	
		SCHNAKENBERG, et al. "Tmahw Etchants for Silicon Micromachining". 1991 International Conference on Solid State Sensors and Actuators - Digest of Technical Papers. pp. 815-818.	
		WILLIAMS, et al. "Etch Rates for Micromachining Processing", Journal of Microelectromechanical Systems. Vol. 5 No. 4, December 1996, pp 256-269.	
		WINTERS, et al., "The etching of silicon with XeF ₂ vapor". Applied Physics Letters, Vol. 34. No. 1, Jan. 1979, pp. 70-73.	

Examiner Signature		Date Considered	
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¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English Translation is attached.
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**FEE TRANSMITTAL FOR FY 2004**

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 180.00**Complete if Known:**

Application No. 10/082,397
Filing Date August 6, 2002
First Named Inventor Mark W. Miles
Examiner Name Mai, Huy Kim
Art Unit 2873
Attorney Docket No. 005652.P013XCD

☒ **Applicant claims small entity status. See 37 CFR 1.27.****METHOD OF PAYMENT** (check all that apply)☒ **Check** ☐ **Credit Card** ☐ **Money Order** ☐ **Other** ☐ **None**☒ **Deposit Account**Deposit Account Number : 02-2666

Deposit Account Name: _____

☒ **The Director is Authorized to do the following with respect to the above-identified Deposit Account:**☐ **Charge fee(s) indicated below.**☒ **Credit any overpayments.**☒ **Charge any additional fees during the pendency of this application.**☒ **Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.**☐ **Charge fee(s) indicated below except for the filing fee.****FEE CALCULATION****1. BASIC FILING FEE**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
1001	770	2001	385	Utility application filing fee	_____
1002	340	2002	170	Design application filing fee	_____
1003	530	2003	265	Plant filing fee	_____
1004	770	2004	385	Reissue filing fee	_____
1005	160	2005	80	Provisional application filing fee	_____
SUBTOTAL (1)					\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

				<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims _____				- 20** = _____	<input checked="" type="checkbox"/> _____	= _____
Independent Claims _____				- 3** = _____	<input checked="" type="checkbox"/> _____	= _____
Multiple Dependent _____					_____	= _____
**Or number previously paid, if greater; For Reissues, see below.						
<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>		
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>			
1202	18	2202	9	Claims in excess of 20		
1201	86	2201	43	Independent claims in excess of 3		
1203	290	2203	145	Multiple dependent claim, if not paid		
1204	86	2204	43	**Reissue independent claims over original patent		
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2)					\$ 0	

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814	55	Statutory Disclaimer	
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 180.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Vani Moodley

Signature: *V. Moodley* Date: 5/16/2004

Reg. Number: Under 37 CFR § 10.9(b) Telephone Number: (408) 720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



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☒ Deposit Account

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		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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SUBTOTAL (3) \$ 180.00

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Signature: *V. Moodley* Date: 5/18/2004

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